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8 **Attorneys for JV Direct Lenders:**
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 9 Trust; Baltes Company; Juanita N. Carter;
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 10 A. & Sandra L. Cowman; Bruce Corum,
 11 Trustee of the Credit Shelter Trust; Andrew
 11 & Ellen Dauscher; Drs. David & Bonny Enrico;
 12 Fertitta Enterprises, Inc.; Judith L Fountain
 12 Irrevocable Trust Dated 8/26/97; Kehl Family;
 13 The Mault Family Trust; Mojave Canyon, Inc.;
 13 David W. & Pamela K. Sexton; Evelyn Asher
 14 Sheerin, Trustee for the Benefit of The Chris H.
 14 Sheerin (deceased) and Evelyn Asher Sheerin
 15 984 Trust Dated 5/31/84; Evelyn Asher Sherrin,
 15 Trustee of the Chris and Evelyn Sheerin 1990
 16 Trust; Sheerins Inc.; and Sierra Health Services

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

17 In re:

18 USA COMMERCIAL MORTGAGE COMPANY,
 19 Debtor.

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

20 USA CAPITAL REALTY ADVISORS, LLC, Debtor.

Chapter 11

21 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 22 LLC, Debtor.

OMNIBUS RESPONSE OF JV DIRECT LENDERS TO FIRST INTERIM FEE AND EXPENSE APPLICATIONS

23 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 24 Debtor.

25 USA SECURITIES, LLC,

Debtor.

25 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Hearing Date: September 28, 2006
 Hearing Time: 9:30 a.m.

1 JV Direct Lenders, by and through their counsel, Janet L. Chubb, Esq., of Jones Vargas,
 2 respond to First Interim Fee and Expense Applications of Shea & Carlyon, Ltd., Stutman, Treister
 3 & Glatt P.C., Alvarez & Marsal, LLC, Orrick, Herrington & Sutcliffe LLP, Gordon & Silver, Ltd.,
 4 Beckley Singleton, Chtd., Mesirow Financial Interim Management, LLC and Thomas J. Allison,
 5 Lewis and ROcak LLP, Schwartzer & McPherson Law Firm, Ray Quinney & Nebeker P.C., and
 6 Members of Official Committee of Equity Security Holders of USA Capital First Trust Deed
 7 Fund, LLC, and state that they have no objection to the Applications as long as the fees and
 8 expenses requested and approved are not paid from any monies belonging to the JV Direct
 9 Lenders as beneficiaries of those certain direct loans listed in the in the Second Amended
 10 Statement of Jones Vargas Pursuant to Bankruptcy Rule 2019 filed on September 13, 2006.

11 The JV Direct Lenders note that certain parties have suggested that fees of the Debtors
 12 and/or the Direct Lenders Committee should be charged to the individual direct lenders or against
 13 their loans. JV Direct Lenders object to any such surcharge, particularly in this context, i.e., that
 14 no motion to surcharge has even been filed.

15 The Direct Lenders are (involuntarily in some cases) financing these cases with their
 16 monthly fees and the collection efforts of the Debtors are for just those activities, collection. No
 17 charges should be levied against the Direct Lenders.

18 DATED this 18th day of September, 2006.

19 JONES VARGAS

20 By: //s// Janet L. Chubb
 21 JANET L. CHUBB, ESQ.
 22 LOUIS M. BUBALA, ESQ.

23 Attorneys for JV Direct Lenders

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CERTIFICATE OF SERVICE

1. We filed the following document(s) on September 13, 2006:

OMNIBUS RESPONSE TO FIRST INTERIM FEE AND EXPENSE APPLICATIONS

2. Upon filing, I served the above-named document(s) by the following means to the persons as listed below:

- a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

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17 **9 b Personal Service** (list persons and addresses):
18 I personally delivered the document(s) to the persons at these addresses:

19 **9** For a party represented by an attorney, delivery was made by
20 handing the document(s) to the attorney or by leaving the document(s) at
21 the attorney's office with a clerk or other person in charge, or if no one is in
22 charge by leaving the document(s) in a conspicuous place in the office.

23 **9** For a party, delivery was made by handing the document(s) to the
24 party or by leaving the document(s) at the person's dwelling house or usual
25 place of abode with someone of suitable age and discretion residing there.

26 **: c. By direct email (as opposed to through the ECF System)** (list persons
27 and email addresses):

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7 **9 e. By fax transmission** (list persons and fax numbers):

8 Based upon the written agreement of the parties to accept service by fax
9 transmission or a court order, I faxed the document(s) to the persons at the
10 fax numbers listed below. No error was reported by the fax machine that I
11 used. A copy of the record of the fax transmission is attached.

12 **9 f. By messenger:**

13 I served the document(s) by placing them in an envelope or package
14 addressed to the persons at the addresses listed blow and providing them to
15 a messenger for service. (A declaration by the messenger must be attached
16 to this Certificate of Service).

17 3. And on September 19, 2006, we will serve the above-named document(s) **United**
18 **States mail, postage fully prepaid** (list persons and addresses):

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27 **I declare under penalty of perjury that the foregoing is true and correct.**

28 DATED this 18th day of September, 2006.

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Name Tawney Waldo

//s// Tawney Waldo
Signature

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